



#903

COASTAL APPEALABLE FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

PROJECT INFORMATION

Name: Substantial ConformityFile Number: DRC 2012-00099

Type of permit being appealed:

- ☐ Plot Plan ☐ Site Plan ☐ Minor Use Permit ☐ Development Plan/Conditional Use Permit
☐ Variance ☐ Land Division ☐ Lot Line Adjustment ☐ Other: _____

The decision was made by:

- ☒ Planning Director (Staff) ☐ Building Official ☐ Planning Department Hearing Officer
☐ Subdivision Review Board ☐ Planning Commission ☐ Other: _____

Date the application was acted on: _____

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access
☒ Planning Commission ☐ Board of Supervisors

BASIS FOR APPEAL

☒ INCOMPATIBLE WITH THE LCP. The development does not conform to the standards set forth in the Certified Local Coastal Program of the county for the following reasons (attach additional sheets if necessary)

Explain: Please see attached

☐ INCOMPATIBLE WITH PUBLIC ACCESS POLICIES. The development does not conform to the public access policies of the California Coastal Act – Section 30210 et seq of the Public Resource Code (attach additional sheets if necessary).

Explain: _____

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number 8 Reason for appeal (attach additional sheets if necessary)misrepresented

APPELLANT INFORMATION

Print name: Julie TackerAddress: P.O. Box 16070, Los Osos 93412 Phone Number (daytime): 805-528-3569

I/We are the applicant or an aggrieved person pursuant to the Coastal Zone Land Use Ordinance (CZLUO) and are appealing the project based on either one or both of the grounds specified in this form, as set forth in the CZLUO and State Public Resource Code Section 30603 and have completed this form accurately and declare all statements made here are true.

Signature: Juliana M TackerDate: 6/25/15

OFFICE USE ONLY

Date Received: 6/25/2015Amount Paid: N/ABy: [Signature]Receipt No. (if applicable): [Signature]

Standard of Review

The project is incompatible with the Certified Local Coastal Plan

The San Luis Obispo County Local Coastal Plan Policies requires all new development must demonstrate that there is sufficient water supply to serve the development. The project is incompatible with the Certified Local Coastal Plan for the following reasons:

Public Works Policy 1: *Availability of Service Capacity New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable...*

This policy is implemented by CZLUO 23.04.430:CZLUO Section 23.04.430

Availability of Water Supply and Sewage Disposal Services

A land use permit for new development that requires water or disposal of sewage shall not be approved unless the applicable approval body determines that there is adequate water and sewage disposal capacity available to serve the proposed development, as provided by this section ...

Coastal Watershed Policy 1: Preservation of Groundwater Basins

The long-term integrity of groundwater basins within the coastal zone shall be protected. The safe yield of the groundwater basin, including return and retained water, shall not be exceeded except as part of a conjunctive use or resource management program which assures that the biological productivity of aquatic habitats are not significantly adversely impacted. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD].

Los Osos' water and sewer capacities have limited capacity as defined by Resource Management System, is designated alert **Level of Severity III**.

June 25, 2015

San Luis Obispo County Planning Department
County Government Center
San Luis Obispo, CA 93408

SUBJECT: Coastal Appeal of Planning Directors Determination of Substantial Conformity for DRC2012-00099 TRI W Enterprise Request

Dear Planning Commissioner's,

Please consider this appeal of the Planning Director's Determination of Substantial Conformity for the above referenced project.

Basis for Appeal:

This appellant's contentions relate to the availability of adequate water supplies in the community of Los Osos. The project, as defined in the applicants May 20, 2015 request for a Substantial Conformance Determination for the 3,978 square foot building at 1076 Los Osos Valley Road. The space was formerly occupied Bank of America in the Los Osos Shopping Center. The April 8, 2014 project approval consisted of a 3,078 sq. ft. McDonalds with the 900 sq. ft. remaining office space to remain vacant until the community's water issues are resolved.

The applicants Substantial Conformity request proposes the building will be divided nearly equally +/- 2,000 sq. ft. for a Starbucks Coffee and +/-2,000 sq. ft. for "remaining food use/office space" and that there is enough water two both businesses.

This appellant will show the Planning Commission that the applicant has provided inaccurate information for the Planning Director to make his determination and will reveal that the April 8, 2014 Minor Use Permit approval does not provide enough water for two businesses.

Substantial Conformity

The Substantial Conformity approval dated June 12, 2015 (Exhibit 1) was based on erroneous and incomplete information provided by the applicant with regard to water use calculations.

Applicant's request for Substantial Conformity falsely asserts a 1,250 gallon per day approval given by Planning Commission on February 6, 2014 and Board of Supervisors on April 8, 2014.

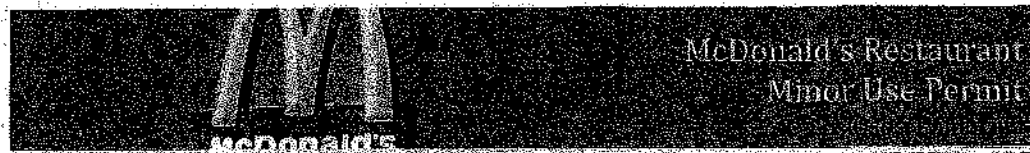
The original application presented to the San Luis Obispo County Planning Department included a Central Coast Regional Water Quality Control Board approval, dated

March 20, 2013 for project **wastewater** flows from 1,200-1,800 gallons per day and a limit of fifty (50) seats for a single McDonald's restaurant site (Exhibit 2).

Contrary to the applicant's assertion in their request for Substantial Conformity that fifty (50) seats is "N/A," as presented in their provided Planning Department staff on May 20, 2015 (Exhibit 3). Their estimated water use was based on seat counts of similarly sized restaurants. The applicant provided water records that depicted water use from the entire Los Osos Shopping Center's landscape (historic use); while the seat calculation came from estimates using the Uniform Plumbing Code (Exhibit 4).

On February 8, 2014 the San Luis Obispo County Planning Commission approved the above referenced project for a single 50 seat restaurant using **980 gallons per day** (removing the drive-through due to inconsistency with the character of the community). At the hearing the Commission accepted the applicants "corrected" water consumption number based on the Morro Bay McDonald's six month average "post remodel" (Figure 1).

Figure 1.



WATER MITIGATION MEASURE

Staff's recommended revisions + Applicant's corrections to the mitigation measure:

Existing Water Usage: 33,129 16,565 gallons per month (gpm)
(building is vacant; this is landscaping only)

Proposed Water Demand/Month): 1250 980 gpd or 37,500 29,400 gpm
(based on Morro Bay McDonald's use factor)

Additional Demand: 37,500 29,400 - 33,129 16,565 = 4,371 20,935
12,835 gpm ~~146 698~~ 428 gallons per day

Mitigation Measure: Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by 1:1 or a total of ~~698~~ 428 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

Applicant's corrections to the mitigation measure.
Powerpoint presentation; Planning Commission February 6, 2014.

Rather than rework the Condition of Approval to offset use at 1:1, the Planning Commission held firm on the mitigation figure of 698 gallons per day, by increasing the mitigation ratio to 1.6:1 (Figure 2). The mitigation is memorialized in Condition of Approval #8 (Figure 3).

The applicant later appealed the Planning Commission's approval to the Board of Supervisors, specifically requesting the drive-through be included in the project. On April 8, 2014 the Board upheld the appeal, reinstating the drive-through in the project. It is **important to note** that each Supervisor commented on, or raised questions as to the water data presented. However, the Board failed to strengthen the condition surrounding water offset mitigation and the work of the Planning Commission and mitigation factor of 1.6:1 remained in the project approval.

Figure 2

Water use	
existing water usage:	16,565 gpm
proposed water demand:	29,400 gpm
$29,400 - 16,565 = 12,835 \text{ gpm or } 428 \text{ gpd}$	
Required off-set approx. $1.6:1 = 698 \text{ gallons per day}$	

Slide from Planning Department Powerpoint presentation, April 8, 2014.

Figure 3

Mitigation Measure - Water Resources

8. Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by a total of 698 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

Condition of Approval, Attachment 1, page 8, BOS staff report, April 8, 2014.

In the May 20, 2015 request for Substantial Conformity, the applicant asserts that Condition of Approval #8 is a 1:1 offset mitigation ratio (Figure 4).

Figure 4.



OASIS ASSOCIATES
LANDSCAPE ARCHITECTURE + PLANNING

WATER USE CALCULATION COMPARISON TABLES

MINOR USE PERMIT DRC2012-00099;
Resolution BOS-2014-69 - Condition of Approval #8
1076 Los Osos Valley Road Los Osos, CA 93402
20 May 2015

APPROVED MCDONALD'S RESTAURANT

- Existing Water Usage: 33,129 gallons per month (gpm)
- Proposed Water Demand: 37,500 gpm or 1,250 gallons per day
- Additional Demand: $(37,500 - 33,129) = 20,935 \text{ gpm or } 698 \text{ gallons per day}$

Mitigation Measure - Water Resources (COA #8) Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by 1:1 or a total of 698 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.

Water Use History

The baseline for project approval came from outdoor irrigation data for the entire Vons Shopping Center (550 gpd.), rather than the historic use of the bank. The applicant convinced San Luis Obispo County Planning Commission that the daily restaurant use would be 980 gpd., derived from 6 months water use records averaged from the similarly sized Morro Bay McDonald's restaurant (January – June 2013 water records for 286 Units (1 Unit = 748 gallons) (Exhibit 5).

The applicant has provided water data from three Starbucks restaurants, but **only one** that is a drive through. Additionally, the applicant failed to present any water data from the current customer base at the Los Osos Starbucks, the tenant in question. This data would be valuable in analyzing actual daily use for a Starbucks in Los Osos. An apples-to-apples comparison would suggest that the Santa Maria Starbucks drive-through water data would make for the most likely comparison of 924 gpd. This would leave a delta of just 56 gpd, versus the applicants misleading representation of projected use by averaging three Starbucks over a dissimilar six month period (September - February). The applicant also asserts only 220 Units of water over six months or 860 gallons per day (Exhibit 6) will be used by the Los Osos Starbucks drive through. Using the applicant's formula of 1250 gpd minus 860 gpd leaves 390 gallons for some other commercial use in the remainder space. When in fact, the CDP approved on April 8, 2014 was for 980 gpd and the Santa Maria Starbucks uses 924 gpd leaving 56 gpd for the remainder space.

Conclusion

The applicant has misrepresented the facts of the approval granted the project on April 8, 2014. The applicant has supplied data that misrepresents the water constraints in Los Osos.

Recommendation

It is this appellant's recommendation that the Planning Commission over turn the Planning Director's Determination that the Starbucks project substantially conforms to that approved for the McDonald's project on April 8, 2014. Based on the applicant's misrepresentation of Condition of Approval #8 the project will use more water overall than that that was approved and mitigation measures applied. The 2,000 square foot remainder space of the building must remain vacant, just all vacant lots in the Los Osos Prohibition Zone, until it can comply with Special Condition 6 of the Los Osos Waste Water Project (Figure 5).

Figure 5

- 6. Wastewater Service to Undeveloped Properties.** Wastewater service to undeveloped properties within the service area shall be prohibited unless and until the Estero Area Plan is amended to identify appropriate and sustainable buildout limits, and any appropriate mechanisms to stay within such limits, based on conclusive evidence indicating that adequate water is available to support development of such properties without adverse impacts to ground and surface waters, including wetlands and all related habitats.

Please feel free to contact me with any questions you may have.

Sincerely,



Julie Tacker

Exhibit 1 Substantial Conformity Approval June 12, 2015

Exhibit 2 CCRWQCB Concurrence Letter, March 20, 2013.

Exhibit 3 Oasis May 20, 2015 COA Matrix

Exhibit 4 Hodge wastewater calculations based on Uniform Plumbing Code.

Exhibit 5 Morro Bay McDonald's water records post remodel (6 months).

Exhibit 6 Starbucks drive through Santa Maria (6 months)

Figure 1 Applicant's "Corrected" Water use data Powerpoint slide

Figure 2 Planning Department mitigation Powerpoint slide

Figure 3 Approved Condition of Approval #8, April 8, 2014

Figure 4 Applicant's May 20, 2015 Condition of Approval #8

Figure 5 Los Osos Waste Water Project Special Condition #6.



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

June 12, 2015

C.M. Florence
Oasis Associates
3427 Miguelito Court
San Luis Obispo, CA 93401

SUBJECT: Substantial Conformity for DRC2012-00099 TRI W Enterprises Request

Dear Carol:

The land use permit and the environmental determination approved for the above-referenced project have been reviewed for the proposed changes outlined in your request dated May 20, 2015, and the county has determined that the proposed changes (with the removal of the sandwich shop) are in substantial conformity:

- ☐ Satisfies all conditions of approval
- ☐ Conforms to environmental determination
- ☒ Other: Substantially conforms to DRC2012-00099 approved on April 8, 2014, EXCEPT FOR THE SANDWICH SHOP.

Description of proposed changes:

- The land use permit authorized a change of use from an office (former Bank of America) to a restaurant; in an existing building of 3,978 square feet (3,078 square foot restaurant and 900 square foot remaining office space). The applicant is modifying the approval to a 2,000 square foot restaurant and 1,078 remaining space. Additional uses in the 1,078 square foot space shall be reviewed for compliance with the conditions of approval and must be determined to be in conformance by the county.
- Modification to the existing drive-through with the addition of a stop bar/temporary barrier at the north drive through entrance.

A handwritten signature in cursive script, reading "Bill Roberson".

Bill Roberson, Deputy Director of Permitting
Department of Planning & Building



OASIS ASSOCIATES
LANDSCAPE ARCHITECTURE + PLANNING

20 May 2015

Mr. James Bergman, Director
Mr. Bill Robeson, Deputy Director
PLANNING & BUILDING DEPARTMENT
COUNTY OF SAN LUIS OBISPO
976 Osos Street, Room 200
San Luis Obispo, CA 93408

RE: **REQUEST FOR SUBSTANTIAL CONFORMANCE DETERMINATION**
MINOR USE PERMIT - DRC2012-00099/ BOS-2014-89
1076 Los Osos Valley Road, Los Osos Shopping Center, Los Osos, CA 93402

Gentlemen,

On behalf of Tri-W, the owner of the Los Osos Shopping Center, we are respectfully requesting your consideration of and positive response to making a substantial conformance determination for the noted approval. Fully acknowledging all of the effort that went into the review of this development proposal, there is recognition that, despite how carefully a project is planned, circumstances arise where the applicants proposed changes to what was originally approved.

Clearly, for staff to make a determination whether the proposed modification(s) may be determined as being in substantial conformance, the changes must meet specific "tests" – does the deviation represent a change considered essential to the project's overall design, quality or function?; would the project, as modified, meet the applicable standards of review by the decision-making body; would the proposed deviation represent an upgrade in overall design features and/or materials and will it improve the project's compatibility with the surrounding neighborhood; and lastly, does the proposed deviation involve a change to an aspect of the project that, during the hearing, was identified by a member of the public and acknowledged by the approving body to be of particular importance. It is our contention that the proposed project modifications can meet the noted "tests", as follows.

The noted Minor Use Permit and related Board of Supervisor Resolution approved the following development:

- A change of use from an office (former Bank of America) to a restaurant; in an existing building 3,978 square foot (3,078 square foot restaurant and 900 square foot remaining office space);
- Customer seating limited to 50 seats;
- Modifications to the existing drive-through;
- Hours of operation are as follows: Monday – Thursday 5:00 a.m. to 12:00 a.m. and Friday through Sunday 5:00 a.m. to 1:00 a.m.

This Request for Substantial Conformance is based upon the following minor modifications to the approved development. Modifications are either in **bold** and *italicized* and/or noted with a ~~strike through~~.

- A change of use from an office (former Bank of America) to a restaurant; in an existing building 3,978 square foot (***2,000 square foot restaurant and 1,078 square foot remaining food use/office space***);
- ~~Customer seating limited to 50 seats;~~

20 May 2015

OASIS ASSOCIATES, INC.

REQUEST FOR SUBSTANTIAL CONFORMANCE - MUP DRC2012-00099/ BOS-2014-89

1076 Los Osos Valley Road, Los Osos Shopping Center

Page 2 of 2

- Modifications to the existing drive-through *with addition of a stop bar/temporary barrier at the north drive through entrance;*
- Hours of operation are as follows: Monday - Thursday 5:00 a.m. to 12:00 a.m. and Friday through Sunday 5:00 a.m. to 1:00 a.m.

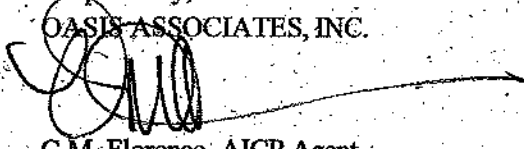
Although the new tenant requires a smaller portion of the existing building, water demand was part and parcel to the ultimate approval of the development and conditioned, accordingly. We have therefore made a comparison of the previously approved tenant's water demand vs. the new tenant's water demand and find water use to be less than the established threshold level. See attached Water Use Calculation table.

While the previously approved tenant utilized branded architecture, the new tenant is proposing architecture that would be compatible in style, color and materials with the existing shopping center, as well as styles within the commercial core of the community of Los Osos.

Thank you in advance for reviewing and finding that the noted minor modifications will enable you to make a determination of substantial conformance. We do want to acknowledge staff's involvement to date to assist us with shaping our request. Should you have any questions, please contact us directly.

Respectfully,

OASIS ASSOCIATES, INC.



C.M. Florence, AICP Agent

TRI W ENTERPRISES, INC.

- Attachments -
- Project Findings/COA Matrix Comparison
 - Approved Site Plan with Stop Bar/Temporary Barrier
 - Revised Building Elevations
 - Water Use Calculations Comparison Table

c: Tri W Enterprises, Inc.
M. Ochylski, Esq.
K. Brown, SLO County Planner
15-0008

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION**Central Coast Regional Water Quality Control Board**

March 20, 2013

Mr. Mel Cruz
 McDonald's USA, LLC
mel.cruz@us.mcd.com

Dear Mr. Cruz:

LETTER OF CONCURRENCE FOR CONVERSION OF AN EXISTING COMMERCIAL BUILDING TO A PROPOSED MCDONALDS FAST FOOD RESTAURANT AT 1110 LOS OSOS VALLEY ROAD, LOS OSOS, SAN LUIS OBISPO COUNTY

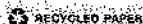
Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff has reviewed your August 22, 2012 request to redevelop an existing commercial building located at 1110 Los Osos Valley Road in Los Osos to a McDonald's fast food style restaurant. McDonald's proposes to construct a 50-seat restaurant and will maintain 12 employees during operation hours. The restaurant will operate from 5 A.M. to 1 A.M. with a 24-hour drive-thru, seven days per week. The restaurant will have two restrooms available for employees and customers.

McDonald's proposes to construct a 5,000 gallon grease interceptor which will discharge to a newly constructed 5,000 septic tank (primary settling tank). The primary settling tank will connect to the existing Von's Shopping Center septic system.

According to the 1989 Earth Systems design (baseline) criteria, the existing septic system has a design flow of 9,362 gallons per day (gpd), based on estimated sewage flows at the time of construction and estimated percolation rates. More recently, the July 17, 2010 Hodge Company Sewage Flow Calculation Study calculated existing wastewater flow rates of 5,033 gpd. Based on the baseline design flow rate of 9,362, nitrogen loading is estimated at 1,949 grams of nitrogen per day. Nitrogen loading calculated for the existing flow rate of 5,033 is estimated at 1,062 grams of nitrogen per day per (refer to Attachment 1). McDonald's calculates an estimated nitrogen loading of 477 grams per day from the proposed restaurant.

Water Board staff understands that the proposed restaurant is anticipated to generate an average daily flow of 1,250 gpd with a maximum design flow of approximately 1,800 gpd. The design flow combined with the existing flow rate of 5033 gpd totals a combined flow of 6,833 gpd. Total nitrogen loading for the combined flows (1,062 grams of nitrogen per day [existing] and 477 grams of nitrogen per day from the proposed restaurant) will yield approximately 1,539 grams of nitrogen per day. Water Board staff calculated the proposed daily flows and nitrogen loading based on your August 22, 2012 letter.

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | www.waterboards.ca.gov/centralcoast

Mr. Cruz

- 2 -

March 18, 2013

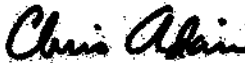
Based on Water Board staff calculations and your projected wastewater flows, the existing Von's Shopping Center septic system can accommodate the added wastewater flows and nitrogen loading rates generated by the proposed McDonald's restaurant. The Central Coast Water Board does not object to your proposed project, provided that the following conditions are satisfied.

1. You are required to pump your septic tank if: 1) the combined thickness of sludge and scum exceed one-third of the tank depth of the first compartment; or 2) the scum layer is within three inches of the outlet device; or 3) the sludge layer is within eight inches of the outlet device.
2. You are required to connect to the community sewer system when it becomes available.

Wastewater discharges to the existing Von's Shopping Center septic system, present and future, are not consistent with the discharge prohibition in the Central Coast Water Board Basin Plan (Resolution No. 83-13). This authorization allows you to continue existing wastewater discharges to the existing septic system, but does not grant or confer to you any other rights specific to Central Coast Water Board authority.

If you have further questions please call David LaCaro at (805) 549-3892 or email at dlacaro@waterboards.ca.gov.

Sincerely,



Digitally signed by Chris Adair
DN: cn=Chris Adair, o=Central
Coast Water Board, ou,
email=cadair@waterboards.ca.
gov, c=US
Date: 2013.03.19 15:55:34
-07'00'

for
Kenneth A. Harris, Jr.
Interim Executive Officer

Attachment: Attachment 1 - Water Board Staff Calculations, March 18, 2013

cc:

Judy Reyes
McDonald's USA Real Estate Manager
Judy.I.Reyes@us.mcd.com

John Yaroslaski
Ensitu Engineers
JYaroslaski@ensitu.com

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JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., INTERIM EXECUTIVE OFFICER

895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | www.waterboards.ca.gov/centralcoast

RECYCLED PAPER

Attachment 1

**WATER BOARD STAFF CALCULATIONS
FOR THE
1011 LOS OSOS VALLEY ROAD MCDONALD'S FAST FOOD RESTAURANT
PROJECT**

1. Existing flows:

According to the 1989 Earth Systems design (baseline) criteria; the existing septic system identifies a design flow of **9,362 gallons per day (gpd)**¹. More recently, the July 17, 2010 Hodge Company Sewage Flow Calculation Study calculated existing wastewater flow rates of **5,033 gpd**².

2. Calculated Existing Nitrogen Loading:

According to Table 3-15 of the *Wastewater Engineering Treatment, Disposal, and Reuse*, Metcalf and Eddy, 4th Edition, typical total nitrogen for untreated domestic wastewater at medium strength is **40 milligrams per liter (mg/L)** and **70 mg/L** for high strength.

- a. **Baseline Nitrogen Loading (9,362 gpd)** – Records for the original tenants of the Von's Shopping Center were not available as San Luis Obispo County was unable to provide such information. That being the case, staff used **55 mg/L** of nitrogen per day by average of the medium strength (40 mg/L) and high strength (70 mg/L).

$$= 1,948.9 (1,949) \text{ grams of nitrogen per day}^3$$

- b. **Existing Nitrogen Loading (5,033 gpd)** – According to the July 17, 2010 Sewage Flow Calculation Study there were 16 tenants, which included stores, a gym, and two restaurants.

Tenant	Calculated Flow Rate (gpd)	Wastewater Strength (mg/L of Nitrogen)	Nitrogen Loading (g/day of Nitrogen)
Stores and Gym	2,390	40	361.8
Restaurant 1	2,265	70	600.1
Restaurant 2	378	70	100.1
Total			1,061.9 (1,062) ³

¹ The Design flow rate was based on a weighted average of the water use history for Los Osos Shopping Center tenants provided by Cal Cities Water [Golden State Water Company] and a design percolation rate of 5 minutes per inch.

² The estimated flow rate in July 2010 was based on 16 businesses their specific number of employees and customers per store or restaurant, daily flow per employee and customer ranging from 5 to 20 gallons per day per person.

³ (Gpd x 3.785 liters per gallon x [wastewater strength] x 1 gram)/1,000 milligrams

1. Proposed Flows (based on applicant's August 22, 2012 letter):

Proposed flows were calculated based on the conversion of an existing commercial building to a McDonald's fast food restaurant. According to the applicants August 22, 2012 letter, estimated wastewater flow rates for the proposed 50-seat restaurant was calculated by examining actual water consumption records for an existing 56-seat McDonald's restaurant located in Morro Bay, California. Water consumption records for the Morro Bay McDonald's restaurant resulted in 1,347 gpd (average daily water consumption), 1,013 gpd (minimum daily consumption), and 1,882 gpd (maximum daily water consumption). Based on these real-time values, the average daily consumption of 1,347 gpd for a 56-seat restaurant will generate approximately 24 gpd per seat (daily customers and employees).

Using the same logic/business model we can assume that the 50-seat restaurant will generate an average daily flow of approximately 1,200 gpd (daily customers and employees). As indicated in the August 22, 2012 letter, you included a 50% peaking factor to the average daily flow, which would increase the design flows to 1,800 gpd. In addition, the conversion will also include water conservation devices pursuant to the San Luis Obispo County Retrofit Ordinance, which may reduce daily water consumption (and wastewater flows) by an additional 30 percent.

Water Board Staff totaled the existing flow rates from the current tenants (5,033 gpd), and adding the proposed flow rates from the McDonald's restaurant (1,800 gpd) totals a flow rate of **6,833 gpd**.

2. Calculated Proposed Nitrogen Loading ():

According to Table 3-15 of the *Wastewater Engineering Treatment, Disposal, and Reuse*, Metcalf and Eddy, 4th Edition, typical total nitrogen for untreated domestic wastewater at medium strength is **40 milligrams per liter (mg/L)** and **70 mg/L** for high strength. Staff calculated the proposed nitrogen loading rates using the high strength concentration of 70 mg/L.

Tenant	Calculated Flow Rate (gpd)	Wastewater Strength (mg/L of Nitrogen)	Nitrogen Loading (g/day of Nitrogen)
Stores and Gym	2,390	40	361.8
Restaurant 1	2,265	70	600.1
Restaurant 2	378	70	100.1
McDonalds	1800	70	476.9
Total			1,538.9 (1,539)^s

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FORMER McDONALD'S RESTAURANT - LOS OSOS PROJECT FINDINGS/COA MATRIX SUBSTANTIAL CONFORMANCE

1076 LOS OSOS VALLEY ROAD, LOS OSOS, CA 93402

MINOR USE PERMIT DRC201200099

RESOLUTION BOS-2014-89 approved April 8, 2014

Findings

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, has found that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on December 26, 2013, and is hereby approved for this project. Mitigation measures are proposed to address public services, transportation/circulation, and water and are included as conditions of approval.

Minor Use Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.

D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns, and any safety concerns regarding 24-hour traffic, noise, or operations have been eliminated by limiting hours of operation.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because, as conditioned, the project is similar to, and will not conflict with, the surrounding lands and uses and because the proposed project will use an existing building and drive-through.

F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Los Osos Valley Road, an arterial road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

G. The proposed use is in conformity with the public use and recreation policies of Chapter 3 of the County General Plan, because the project is not adjacent to the coast and the project will not inhibit access to coastal waters and recreation areas.

BOS-2014-89 (April 8, 2014)

Approval/Development

1. This approval authorizes
 - a. a change of use from an office (Warner Bank of America) to a restaurant, in an existing building of 3,978 square feet (3,078 square foot restaurant and 900 square foot remaining office space);
 - b. customer seating is limited to 50 seats;
 - c. modifications to the existing drive-through;
 - d. hours of operation are as follows: Monday through Thursday 5:00 am to 12:00 am and Friday through Sunday 5:00 am to 1:00 am.

Site Development

2. At the time of application for construction permits plans submitted shall show all development consistent with the approved site plan (including parking, signage and lighting plans submitted April 8, 2014), floor plan, architectural elevations and landscape plan.

Consistent

a. Modify project to include the following:

1. 2,000 SF Coffee Shop (Starbucks), 1,200 SF's food and retail, and 800 SF's retail are
2. 1000 SF's food and retail are
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1. Maintain approved site plan with minor modification (add sign bar or other signage to prohibit thru traffic entering from the north adjacent to the proposed trash yard area). New building elevations are provided for staff's review to determine if they are in compliance with the intent of the approved plans.

FORMER McDONALD'S RESTAURANT - LOS OSOS

PROJECT FINDINGS/COA MATRIX SUBSTANTIAL CONFORMANCE

BOS-2018-02 (APRIL 8, 2018)

(Comment)

<p>3. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.</p> <p>Fire Safety</p> <p>4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.</p> <p>Services</p> <p>5. At the time of application for construction permits, the applicant shall provide a letter from Golden State Water Company stating they are willing and able to service the property.</p> <p>Fees</p> <p>6. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.</p> <p>Signage</p> <p>7. Prior to issuance of a construction permit, the applicant shall submit a final signage plan consistent with Section 23.04.3.10 of the Title 23. The monument sign and base shall not exceed 5' in height.</p> <p>Mitigation Measures: Water Resources</p> <p>8. Prior to issuance of building permits, the applicant shall retrofit (outside of the prohibition zone) enough homes, businesses, etc. plumbing fixtures to offset their water demand by a total of 698 gallons per day. The applicant may provide an alternative offset as approved by the Planning Director.</p> <p>Other</p> <p>9. Prior to occupancy or final inspection, the applicant shall provide the Department of Planning and Building with the reciprocal parking agreement for the Vons shopping center.</p> <p>10. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection / establishment of the use. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.</p> <p>11. Prior to occupancy or final inspection, the applicant shall stripe the northern portion of the parking lot for an additional 49 parking spaces for a total of 299 parking spaces.</p>	<p>The updated building modifications maintain much of the existing facade design. New entry porches elements create visual interest and highlight the retail entrances. New materials include horizontal siding in earth tones, and metal awning consistent with the architectural styling of Los Osos.</p> <p>The overall conceptual landscape design remains consistent with the approved site plan.</p> <p>COA remains applicable with no impact by proposed tenant modification.</p>
<p>COA remains applicable with no impact by proposed tenant modification.</p>	<p>COA remains applicable with no impact by proposed tenant modification.</p>
<p>COA remains applicable. Existing can-and-will serve letter will be updated to current amendment information.</p>	<p>COA remains applicable. Determine if fees are applicable to remodel (project has no SF increase)</p>
<p>COA remains applicable with no impact by proposed tenant modification.</p>	<p>COA remains applicable. Retrofits outside the prohibition zone are currently underway to achieve the 698 gallons/day offset. See attached revised water use calculations.</p>
<p>COA remains applicable with no impact by proposed tenant modification.</p>	<p>COA remains applicable with no impact by proposed tenant modification.</p>
<p>COA remains applicable with no impact by proposed tenant modification.</p>	<p>COA remains applicable with no impact by proposed tenant modification.</p>
<p>COA remains applicable with no impact by proposed tenant modification.</p>	<p>COA remains applicable with no impact by proposed tenant modification.</p>
<p>COA remains applicable. Confirm striping completed by Taste Construction.</p>	<p>COA remains applicable. Confirm striping completed by Taste Construction.</p>

FORMER McDONALD'S RESTAURANT - LOS OSOS PROJECT FINDINGS/COA MATRIX SUBSTANTIAL CONFORMANCE

BON-201539 (April 2015)	
12. Prior to occupancy or final inspection, whichever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.	COA remains applicable with no impact by proposed tenant modification.
13. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.	COA remains applicable.
14. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.030 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.	Comment noted
15. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.	Comment noted
16. The applicant shall as a condition of approval of this minor use permit/coastal development permit defined, at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this minor use permit/coastal development or the manner in which the County is interpreting or enforcing the conditions of this minor use permit/coastal development permit, or any other action by a third party relating to approval or implementation of this minor use permit/coastal development permit. The applicant shall reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.	Comment noted

Attachments:

- Water Use Calculations Comparison
- Approved Site Plan
- Approved Building Elevations
- Proposed Building Elevations

Attachment 5
+ construction and start up
approx 2013 late?
+ original fixture what was
there before?

Exhibit 4



John N. Yaroslaski
Ensitu Engineering Inc.
685 Main Street, Suite A
Morro Bay, CA 93442

Engineering Inc.
685 Main St.
Suite A
Morro Bay, CA
93442

August 22, 2012

Tel: 805.772.0150
Fax: 805.772.0813

Mel Cruz, Area Construction Manager
McDonald's USA, LLC
3800 Kilroy Airport Way, Ste 200
Long Beach, CA 90806

ensitu@ensitu.com

Subject: 499-04 - Los Osos Valley Road, Los Osos, CA - McDonald's - Proposed Design Flow,
Grease Interceptor and Septic Tank Capacity Requirements, and Existing System
Capacity

Page 1 of 4

Dear Mel Cruz:

INTRODUCTION

This report provides engineering design for the proposed onsite wastewater treatment/disposal system (OWTS) to serve the above noted site. Specifically it provides an estimate of waste/sewage flow rates, calculations supporting design of the grease interceptor and septic tanks, and a statement of existing system capacity. The following work is to be performed on the subject site:

- A proposed fast food style restaurant ("McDonald's") with fifty (50) seats and twelve (12) employees is to be constructed.

ESTIMATED WASTE/SEWAGE FLOW RATE

The estimated waste/sewage flow rate for the proposed 50 seat McDonald's restaurant in Los Osos is calculated by examination of actual water consumption records for the existing 56 seat McDonald's restaurant located on Quintana Road in Morro Bay, California, compiled by the City of Morro Bay for Account No 15001590-003 for the period of July 2011 through July 2012, attached as Appendix A. It was determined that the average daily water consumption over the entire period was 1,347 gallons per day (gpd). The minimum daily average consumption over any month was 1,013 gpd. The maximum daily average consumption over any month was 1,882 gpd.

An average daily consumption of 1,347 gpd for a 56 seat restaurant is 24.05 gpd/seat. Therefore the average daily consumption for a 50 seat restaurant following the same business model is estimated at 1,250 gpd. The peak daily consumption is estimated at $\frac{3}{2}$ of the average daily consumption or 1,875 gpd.

Peaking factor

Therefore the estimated waste/sewage flow for the proposed restaurant is 1,875 gpd.

"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."



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585 Main St.
Suite A
Morro Bay, CA
93442

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Page 2 of 4

GREASE INTERCEPTOR SIZING

According to California Plumbing Code Section K9, Commercial or Industrial Special Liquid Waste Disposal, Subsection K9(g), grease interceptor sizing is based on the following formula:

Number of meals per peak hour x Waste flow rate x Retention time x Storage factor =
Interceptor size (liquid capacity)

Because the waste flow is not calculated by number of meals and flow per meal but rather by gpd per seat the formula is modified to account for flow per hour assuming a restaurant open for 16 hours per day. The storage factor for a fully equipped commercial kitchen with 16 hour operation is 2. The retention time for commercial kitchen waste with dishwasher and/or disposal is 2.5 hours.

1,875 gpd / 16 hour operation = 118 gph waste flow rate

Therefore the required grease interceptor capacity is:

118 gph waste flow rate x 2.5 hour retention time x 2 (storage factor for 16 hour operation)
= 590 gallons

For optimum treatment the proposed grease interceptor shall have a capacity of 2,000 gallons to accommodate a full day's wastewater/sewage flow.

SEPTIC TANK SIZING

The minimum septic tank capacity (in gallons) required by code is calculated through reference to Table K-3 of the California Plumbing Code. According to Table K-3 the minimum septic tank capacity for waste/sewage flow over 1,500 gpd is based on the following formula:

Flow X 0.75 + 1125

Therefore the minimum septic tank capacity required for the estimated waste/sewage flow of 1,875 gpd is 2,532 gallons. The proposed septic tank shall have a capacity of 3,000 gallons.

EXISTING SYSTEM CAPACITY

The proposed McDonald's restaurant shall be constructed at an existing commercial development located on Los Osos Valley Road in Los Osos, California. Three (3) parcels at the existing commercial development share one (1) septic system. According to the calculations for the OWTS design from 1989, which was previously accepted as a valid number for determining the historic discharge, the design flow for the entire development is 9,362 gpd based on the weighted average of the water use history. The existing OWTS was then designed to accommodate this design flow. These calculations are attached as Appendix B.

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Page 3 of 4

Subsequently design flow calculations for the existing businesses within the commercial development were made on July 17, 2010 by Hodge Company. The estimated waste/sewage flow rate for the existing businesses was calculated at 5,033 gpd. These calculations are attached as Appendix B.

*Restaurant
now gone*

The design flow for the existing businesses and the proposed restaurant is 5,033 gpd + 1,875 gpd or 6,908 gpd. Therefore the existing OWTS capacity of 9,362 gpd is sufficient to accommodate flow from the proposed restaurant.

*based on
1989*

CONCLUSION

- The design flow for the existing businesses and the proposed restaurant is 5,033 gpd + 1,875 gpd or 6,908 gpd. Therefore the existing OWTS capacity of 9,362 gpd is sufficient to accommodate flow from the proposed restaurant.
- A 2,000 gallon grease interceptor will need to be added for pretreatment of kitchen waste
- A 3,000 gallon septic tank with effluent filter will need to be added for pretreatment of wastewater
- A pumping system may be required if gravity flow cannot be established between pretreatment tanks and existing onsite wastewater system

Any persons concerned with this project who observe conditions or features of the site or its surroundings that are different from those described in this report should notify EEI immediately for evaluation.

Thank you for the opportunity to have been of service. If you have any questions, or require additional assistance please feel free to contact Ensitu Engineering at (805) 772-0150.

Sincerely,

John N. Yaroslaski PE 60149
Ensitu Engineering Inc.
Project Engineer

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Page 4 of 4

"Dedicated to achieving higher standards in onsite and decentralized wastewater systems."

Attachment A

Water Usage Records, Existing McDonald's Restaurant
On Quintana Road in Morro Bay, California

780 Quintana Road, McDonald's Restaurant
 Water Usage Summary, July 2011 - July 2012
 Account No. 15001590-003

Bill Date	Days	Billed Usage (HCF)	Gallons	Flow (gpd)
7/31/2012	31	78	58,348	1,882
6/30/2012	30	62	46,379	1,546
5/31/2012	31	47	35,158	1,134
4/30/2012	30	48	35,906	1,197
3/31/2012	31	44	32,914	1,062
2/29/2012	29	44	32,914	1,135
1/31/2012	31	42	31,418	1,013
12/31/2011	31	47	35,158	1,134
11/30/2011	30	43	32,166	1,072
10/31/2011	31	60	44,883	1,448
9/30/2011	30	73	54,608	1,820
8/31/2011	31	63	47,127	1,520
7/31/2011	31	64	47,875	1,544
Total	397	715	534,857	
Average Daily Consumption Over Entire Period				1,347
Minimum Daily Average Consumption (any month)				1,013
Maximum Daily Average Consumption (any month)				1,882

Aug. 15. 2012 12:39PM

Attachment 5

No. 0535 P. 1
Water and Sewer Bill



City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442-1900
(805) 772-8222

Mailing Address:

SLO ARCHES INC
Po Box 306
Dba McDonalds #15090
Arroyo Grande, CA 93421-0306

Service Address: 780 QUINTANA RD
Account No: 15001590-003
Due Date: 8/31/2012
Amount Due: \$1,404.59



Account No.
15001590-003

Service Address
780 QUINTANA RD

Billing Date
7/31/2012

BILLING AND PAYMENT HISTORY

Previous Balance	1,095.66
Penalties	0.00
Adjustments	0.00
Payments Received	-(1,095.66)
Past Due Amount	0.00

Current Billing	Amount
Charge Code	
Water Charge	559.07
Sewer Charges	845.52
Total	1,404.59

Total Amount Due: 1,404.59

Past due amounts are subject to penalties and shut off

METER READINGS

Meter No.	Read Dates	Days	Previous	Current	Usage
95376775	6/8/2012 - 7/6/2012	30	8,450	8,528	78

PRIOR USAGE ANALYSIS

Meter No.	Read Dates	Avg/Day	Last Year	% Change
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Please return this portion with payment
Balance Due will be Bank Drafted.



Please Make Checks Payable To:

City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442-1900

Service Address: 780 QUINTANA RD
Account No: 15001590-003
Due No Later Than: 8/31/2012
Amount Due: \$1,404.59

Amount Remitted:

AUG. 17, 2012, 12:37 PM
 Service Address: 780 QUINTANA RD
 Morro Bay CA 93442-1940
 Name: SLO ARCHES INC
 Phone: (805) 481-3388

Attachment 5

Billing Period: 08/01/2012 - 08/31/2012
 Account Type: Restaurants
 Class:
 Date Moved In: 08/30/2012
 Number of Units: 1

Date	Type	Amount	Based Consumption	Penalty Date	Status	Running Balance
07/31/2012	Bill	\$1,095.88	02	08/01/2012		\$1,095.88
07/23/2012	Bank Draft	(\$1,095.88)				\$0.00
06/30/2012	Bill	\$813.48	47	07/03/2012		\$813.48
06/21/2012	Bank Draft	(\$813.48)				\$0.00
05/31/2012	Bill	\$794.98	48	06/04/2012		\$794.98
05/21/2012	Bank Draft	(\$794.98)				\$0.00
04/30/2012	Bill	\$758.07	44	05/01/2012		\$758.07
04/23/2012	Bank Draft	(\$758.07)				\$0.00
03/31/2012	Bill	\$758.07	44	04/03/2012		\$758.07
03/21/2012	Bank Draft	(\$758.07)				\$0.00
02/29/2012	Bill	\$721.34	42	03/01/2012		\$721.34
02/21/2012	Bank Draft	(\$721.34)				\$0.00
01/31/2012	Bill	\$813.48	47	02/01/2012		\$813.48
01/23/2012	Bank Draft	(\$813.48)				\$0.00
12/31/2011	Bill	\$739.69	43	01/01/2012		\$739.69
12/21/2011	Bank Draft	(\$739.69)				\$0.00
11/30/2011	Bill	\$1,057.61	60	12/01/2011		\$1,057.61
11/21/2011	Bank Draft	(\$1,057.61)				\$0.00
10/31/2011	Bill	\$1,307.27	73	11/01/2011		\$1,307.27
10/21/2011	Bank Draft	(\$1,307.27)				\$0.00
09/30/2011	Bill	\$1,114.73	83	10/03/2011		\$1,114.73
09/21/2011	Bank Draft	(\$1,114.73)				\$0.00
08/31/2011	Bill	\$1,087.15	84	09/01/2011		\$1,087.15
08/22/2011	Bank Draft	(\$1,087.15)				\$0.00
07/31/2011	Bill	\$1,087.15				\$1,087.15

Let me know if this is not
 ok I can just print off
 each bill if this is not good
 enough... thanks!!

Amey

Attachment B
Existing OWTS Calculations

Builder shall submit, to the engineer, copies of all weigh tickets for gravel placed during construction of this system.

Inspections are not included with the design fees and will be invoiced to the party requesting inspection. Fees for inspection will be charged at the hourly rates in effect at the time that the service is requested.

DESIGN CRITERIA

DESIGN FLOW: 9362 gpd (Weighted average of the Water Use History of Los Osos Shopping Center Tenants provided by California Cities Water)

DESIGN PERCOLATION RATE: 5 minuto/inch

REQUIRED LEACHING AREA: $5/(t)^{1/2} = 5/(5 \text{ min/in})^{1/2} = 2.24 \text{ gal/sq ft/day}$ as per Manual of Septic Tank Practice

MINIMUM SEPTIC TANK CAPACITY: 9000 gallons

LEACH TRENCH WIDTH: 3 feet

DEPTH OF GRAVEL BELOW THE PIPE: 36 inches

CALCULATIONS

9362 gpd / 2.24 gpd/sq ft = 4187 sq ft

4187 sq ft / 7 sq ft/linear ft = 598 linear ft.

FLUID
DOSH
OR A

MINIMUM HORIZONTAL SETBACK

Septic Tank Leachfield

Buildings or structures 5'

0'

1999 E. AL. C. 1.1

HODGE COMPANY
Land Planning + Civil Engineering

July 17, 2010

Project: Bay Osos and Los Osos Shopping Center**Client:** Marshall Ochylski and TriW Enterprises**Scope of Work:** Determine the existing flow sewage rate for existing businesses and add a proposed business (McDonalds) sewage flow rate and calculate the required leach field length and compare to the existing leach field trench length.

Given data for existing shopping centers from Marshall Ochylski:

- Leach field calculations, trench shape and "as-built" leach field layout (600 l.f.)
- existing businesses, type, floor area/business, employee count/business
- eating and kitchen floor areas for food establishments, and *
- proposed sewage flow rate for future McDonalds (1,250 gal/day) (P)

Existing Stores	Employees
Aqua Massage	1
Coast Electronics	1
Volumes of Pleasure	1
Carlock's Bakery	4
Squeaks, Chirps, and Bubbles	1
Hightower/Alta	1
Real World Onsite Computers	1
Light Photographic Workshops	1
Hair Lines Salon	4
H & R Block	2
Miner's Hardware	9
Rite Aid	10
Vons	10
Total	47

$$47 \times 20 \text{ gal/day/employee (UPC, Table K-3)} = 940 \text{ gal/day}$$

- + Los Osos Fitness 10
+ 250 customers/day (use 5 gal/day/customer)

$$10 \times 20 + 250 \times 5 = 1,450 \text{ gal/day}$$

- | Existing Restaurants | Employees |
|----------------------------------|-----------|
| + Round Table (lunch and dinner) | 6 |
- Eating floor area = 500 s.f.
Occupancy Load (UBC, Table 10-A) 1 person/15 s.f. = 33 people
of meals: Lunch (2 turnovers) 66 + Dinner (3 turnovers) 99 = 165 meals and people

$$6 \times 20 + 165 \times 7 \text{ (kitchen waste)} + 165 \times 6 \text{ (customer)} = 2,265 \text{ gal/day}$$

- + Cad's Coffee House (breakfast only) 2
Eating floor area = 200 s.f.
Floor area/occupancy load $200/15 = 13$
of meals: (2 turnovers) 13 = 26 meals and people
 $2 \times 20 + 26 \times 7 \text{ (kitchen waste)} + 26 \times 6 \text{ (customer)} = 378 \text{ gal/day}$

Total Existing + Proposed Flow/day = (E) $940 + 1,450 + 2,265 + 378$ + (P) $1,250$ = **6,283 gal/day**

Exhibit 5

Morro Bay McDonald's water records post remodel (6 months).

Consumption Trend Statement

9/1/2010 - 8/30/2013

Account #

Service Address

780 QUINTANA RD
Morro Bay, CA 93442

Mailing Address

Consumption Information	Water	
	HCF	Charge Amount
07/31/2013	70	
06/30/2013	55	
05/31/2013	58	
04/30/2013	48	
03/31/2013	46	
02/28/2013	50	
01/31/2013	29	
12/31/2012	33	
11/30/2012	54	
10/31/2012	49	
09/30/2012	76	
08/31/2012	69	
07/31/2012	78	
06/30/2012	62	
05/31/2012	47	
04/30/2012	46	
03/31/2012	44	
02/29/2012	44	
01/31/2012	42	
12/31/2011	41	

Page 1 of 2

Consumption Trend Statement

Consumption Information	Water	
	HCF	Charge Amount
11/30/2011	43	
10/31/2011	60	
09/30/2011	73	
08/31/2011	63	
07/31/2011	64	
06/30/2011	59	
05/31/2011	50	
04/30/2011	49	
03/31/2011	48	
02/28/2011	41	
01/31/2011	37	
12/31/2010	46	
11/30/2010	43	
10/31/2010	43	
09/30/2010	86	
Total	1,852	

Page 2 of 2

Excerpt of 2012-2013 Morro Bay McDonald's water bill provided by applicant August 30, 2013. Six (6) month consumption for 2013 is higher than previous years; adding seats does not necessarily add customers.

Exhibit 5**Starbucks Coffee Water Records August 30, 2014 through February 27, 2015**

DATE	UNITS	DAYS
8/30/14 - 9/26/14	29	27
9/27/14 - 10/31/14	46	34
11/1/14 - 11/28/14	34	27
11/31/14 - 12/26/14	33	27
12/27/14 - 1/30/15	43	34
1/31/15 - 2/27/15	35	27
	220 x 748 = 164,560 gal	178

164,560 gallons / 178 days = 924 gallons per day

5054776514102204



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7000004585 00.0016.0258 4346/1



STARBUCKS COFFEE #6934
C/O: FACILITY IQ / MS 215
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SPOKANE WA 99210-2440

SPECIAL MESSAGE

TO AVOID PENALTIES AND INTERRUPTION OF SERVICE,
PREVIOUS BALANCE GREATER THAN PENALTY AMOUNT
MUST BE PAID BY THE FINAL DUE DATE SHOWN ON THE
PAST DUE REMINDER NOTICE. IF PENALIZED, CURRENT
PENALTY IS \$46.90.

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 10/2/2014 AMOUNT: 1,014.81
SERVICE FROM: 8/30/2014 - 9/26/2014
DUE DATE: 11/7/2014
BILLING DATE: 10/17/2014

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	2,884	2,913	29	27

CURRENT CHARGES

Description	Amount
Water	160.70
Sewer	110.49
Refuse	591.10

TOTAL CURRENT CHARGES 862.29

YOUR MONTHLY WATER USAGE



1 Unit = 100 Cubic Feet (CCF) of Water
1 CCF = 748 Gallons

Tiered water rates are listed on back for your convenience.

AMOUNT DUE

PREVIOUS BALANCE:	1,014.81
PAYMENTS:	1,014.81
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00

TOTAL CURRENT CHARGES: 862.29
TOTAL AMOUNT DUE: \$862.29



KEEP THE ABOVE PORTION FOR YOUR RECORDS

Payment Coupon

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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 8/30/2014 - 9/26/2014
DUE DATE: 11/7/2014
BILLING DATE: 10/17/2014

207479811000862290

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AMOUNT DUE

TOTAL AMOUNT DUE: \$862.29

AMOUNT ENCLOSED



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40811228141129102



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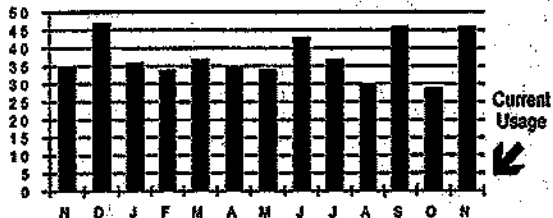


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YOUR MONTHLY WATER USAGE



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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 9/27/2014 - 10/31/2014
DUE DATE: 12/12/2014
BILLING DATE: 11/21/2014

207479811001014810

STARBUCKS COFFEE #6934
C/O: FACILITY IQ / MS 215
PO BOX 2440
SPOKANE WA 99210-2440

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 10/29/2014 AMOUNT: 862.29
SERVICE FROM: 9/27/2014 - 10/31/2014
DUE DATE: 12/12/2014
BILLING DATE: 11/21/2014

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	2,913	2,959	46	34

CURRENT CHARGES

Description	Amount
Water	248.45
Sewer	175.26
Refuse	591.10

TOTAL CURRENT CHARGES 1,014.81

AMOUNT DUE

PREVIOUS BALANCE:	862.29
PAYMENTS:	862.29
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00
TOTAL CURRENT CHARGES:	1,014.81
TOTAL AMOUNT DUE:	\$1,014.81



AMOUNT DUE

TOTAL AMOUNT DUE: \$1,014.81

AMOUNT ENCLOSED



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30575416141226287



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STARBUCKS COFFEE #6934



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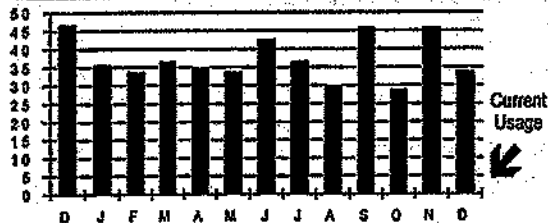
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YOUR MONTHLY WATER USAGE



1 Unit = 100 Cubic Feet (CCF) of Water
1 CCF = 748 Gallons

Tiered water rates are listed on back for your convenience.

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 12/5/2014 AMOUNT: 1,014.81
SERVICE FROM: 11/1/2014 - 11/28/2014
DUE DATE: 1/9/2015
BILLING DATE: 12/19/2014

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	2,959	2,993	34	27

CURRENT CHARGES

Description	Amount
Water	186.51
Sewer	129.54
Refuse	591.10

TOTAL CURRENT CHARGES 907.15

AMOUNT DUE

PREVIOUS BALANCE:	1,014.81
PAYMENTS:	1,014.81
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00

TOTAL CURRENT CHARGES:	907.15
TOTAL AMOUNT DUE:	\$907.15



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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 11/1/2014 - 11/28/2014
DUE DATE: 1/9/2015
BILLING DATE: 12/19/2014

207479811000907153

STARBUCKS COFFEE #6934
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AMOUNT DUE

TOTAL AMOUNT DUE: \$907.15

AMOUNT ENCLOSED



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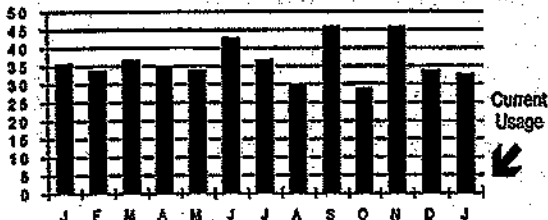


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YOUR MONTHLY WATER USAGE



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1 CCF = 748 Gallons

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Payment Coupon

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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 11/29/2014 - 12/26/2014
DUE DATE: 2/6/2015
BILLING DATE: 1/16/2015

207479811000698181

STARBUCKS COFFEE #6934
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SPOKANE WA 99210-2440

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 12/31/2014 AMOUNT: 907.15
SERVICE FROM: 11/29/2014 - 12/26/2014
DUE DATE: 2/6/2015
BILLING DATE: 1/16/2015

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	2,993	3,026	33	27

CURRENT CHARGES

Description	Amount
Water	181.35
Sewer	125.73
Refuse	591.10

TOTAL CURRENT CHARGES 898.18

AMOUNT DUE

PREVIOUS BALANCE:	907.15
PAYMENTS:	907.15
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00
TOTAL CURRENT CHARGES:	898.18
TOTAL AMOUNT DUE:	\$898.18



AMOUNT DUE

TOTAL AMOUNT DUE: \$898.18

AMOUNT ENCLOSED



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STARBUCKS COFFEE #6934

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YOUR MONTHLY WATER USAGE



Tiered water rates are listed on back for your convenience.

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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 12/27/2014 - 1/30/2015
DUE DATE: 3/13/2015
BILLING DATE: 2/20/2015

207479811000987904

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C/O: FACILITY IQ / MS 215
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SPOKANE WA 99210-2440

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 1/29/2015 AMOUNT: 898.18
SERVICE FROM: 12/27/2014 - 1/30/2015
DUE DATE: 3/13/2015
BILLING DATE: 2/20/2015

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	3,026	3,069	43	34

CURRENT CHARGES

Description	Amount
Water	232.97
Sewer	163.83
Refuse	591.10
TOTAL CURRENT CHARGES	987.90

AMOUNT DUE

PREVIOUS BALANCE:	898.18
PAYMENTS:	898.18
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00
TOTAL CURRENT CHARGES:	987.90
TOTAL AMOUNT DUE:	\$987.90

AMOUNT DUE

TOTAL AMOUNT DUE: \$987.90

AMOUNT ENCLOSED



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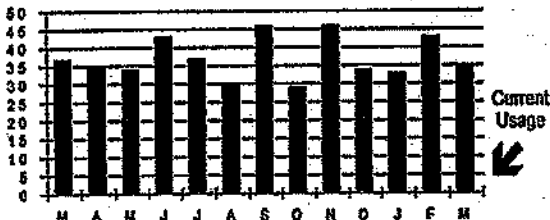


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ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
SERVICE FROM: 1/31/2015 - 2/27/2015
DUE DATE: 4/10/2015
BILLING DATE: 3/20/2015

207479811000933856

STARBUCKS COFFEE #6934
C/O: FACILITY IQ / MS 215
PO BOX 2440
SPOKANE WA 99210-2440

Invoice

ACCOUNT INFORMATION

ACCOUNT NUMBER: 20-74-7981-1
SERVICE ADDRESS: 1419 S BROADWAY UNIT A
LAST PAYMENT: 3/4/2015 AMOUNT: 987.90
SERVICE FROM: 1/31/2015 - 2/27/2015
DUE DATE: 4/10/2015
BILLING DATE: 3/20/2015

METER READ INFORMATION

Meter #	Previous Read	Current Read	Consumption	Days
55865071	3,069	3,104	35	27

CURRENT CHARGES

Description	Amount
Water	191.67
Sewer	133.35
Refuse	608.83
TOTAL CURRENT CHARGES	933.85

AMOUNT DUE

PREVIOUS BALANCE:	987.90
PAYMENTS:	987.90
CREDITS APPLIED:	0.00
RECEIPT ADJUSTMENTS:	0.00
TOTAL CURRENT CHARGES:	933.85
TOTAL AMOUNT DUE:	\$933.85



AMOUNT DUE

TOTAL AMOUNT DUE: \$933.85

AMOUNT ENCLOSED



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